

Exhibit 1

DC-2016-002693.00 -

16 2693

ALABAMA JUDICIAL INFORMATION SYSTEM

* * * IN THE DISTRICT COURT OF CULLMAN COUNTY * * *

AGENCY NUMBER: 161000461

WARRANT NUMBER: WR 2016 001763.00
OTHER CASE NBR:

C O M P L A I N T

BEFORE ME THE UNDERSIGNED JUDGE/CLERK/MAGISTRATE OF THE DISTRICT COURT OF CULLMAN COUNTY, ALABAMA, PERSONALLY APPEARED SUH BRANDI WHO BEING DULY SWORN DEPOSES AND SAYS THAT HE/SHE HAS PROBABLE CAUSE FOR BELIEVING, AND DOES BELIEVE THAT RAY CHARLES SCHULTZ DEFENDANT, WHOSE NAME IS OTHERWISE UNKNOWN TO THE COMPLAINANT, DID WITHIN THE ABOVE NAMED COUNTY AND

DID ON OR ABOUT 10-30-2016, KNOWINGLY OR RECKLESSLY DISTRIBUTE, POSSESS WITH INTENT TO DISTRIBUTE OR OFFER OR AGREE TO DISTRIBUTE TO A MINOR, TO-WIT: L.Y. ANY MATERIAL WHICH IS HARMFUL TO A MINOR, TO-WIT: SENT HER A PICTURE OF HIS PENIS, IN VIOLATION OF 13A-012-200.5(1) OF THE CODE OF ALABAMA, AGAINST THE PEACE AND DIGNITY OF THE STATE OF ALABAMA.

Brandi Suh
COMPLAINANT'S SIGNATURE

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 01 DAY OF DECEMBER, 2016.

Spay White
JUDGE/CLERK/MAGISTRATE OF DISTRICT COURT

CHARGES: PORN-DISTRIBUTE TO M 13A-012-200.5(1) M MISDEMEANOR

WITNESS FOR THE STATE

SUH BRANDI/CCSD/CULLMAN/35055-

JACOBS JACKI/231 CO RD 1212/VINEMONT/35179 - *Lauren's mom*
CULPEPPER DIANE/4545 CO RD 1141/VINEMONT/35179 -

OPERATOR: BOW DATE: 12/01/2016

FILED IN OFFICE

DEC 07 2016

LISA McSWAIN
CIRCUIT CLERK
CULLMAN COUNTY

DOCUMENT

16 2693

W A R R A N T

STATE OF ALABAMA

CULLMAN COUNTY

DISTRICT COURT

AGENCY NUMBER: 161000461

WARRANT NUMBER: WR 2016 001763.00
OTHER CASE NBR:

TO ANY LAWFUL OFFICER OF THE STATE OF ALABAMA:

as://webviewer.alacourt.gov/viewer/CheckPay

12 15 21

DC-2016-002693.00 -

Page 2 of 2

DAY OF _____, OR UNTIL LEGALLY DISCHARGED.

DATED THIS 01 DAY OF DECEMBER, 2016.

BOND SET AT: $\begin{pmatrix} 1 \\ 2 \\ 3 \end{pmatrix}$ 500.00 BOND TYPE: ProposedOpen White
JUDGE/CLERK/MAGISTRATE OF DISTRICT COURT

CHARGES: FORN DISTRIBUTE TO M 13A 012-200.5(1) M MISDEMEANOR

NAME: RAY CHARLES SCHULTZ
ADDRESS: 124 COUNTY ROAD 1157
ADDRESS:
CITY: CULLMAN

STATE: AL

ALIAS:
ALIAS:ZIP: 35055 0000
PHONE: 000 000 0000 EXT: 000EMPLOYMENT:
DOB: 12/26/1989 RACE: W SEX: M HAIR: BRO
EYE: HZL HEIGHT: 5'00" WEIGHT: 156
SID: 000000000 SSN: [REDACTED] DL NUM: 1848267

E X E C U T I O N

EXECUTED THE WITHIN WARRANT BY ARRESTING THE DEFENDANT AND

(X) PLACING DEFENDANT IN THE CULLMAN COUNTY JAIL

() RELEASING DEFENDANT ON APPEARANCE BOND

THIS

10th

DAY OF

December, 2016

SHERIFF

BY

State Sheriff
IN Branch Sub 1-7COMPLAINANT: SUH BRANDI
CCSD

CULLMAN AL 35055

OPERATOR: BOW DATE: 12/01/2016

FILED IN OFFICE

DEC-07-2016

JISA HUSTAIN
CIRCUIT CLERK
CULLMAN COUNTY

COPY

State of Alabama Unified Judicial System Form C-7 Rev. 2/79	CASE ACTION SUMMARY CONTINUATION		Case Number DC 16-2693 ID YR Number
Style:	Ray Charles Schultz		Page Number _____ of _____ Pages
DATE	ACTIONS, JUDGMENTS, CASE NOTES		
12-12-16	Def is in on cash bond and unable to make that bond. Attorney Melvin Hastings appointed to represent def.		

DOCUMENT 3

State of Alabama Unified Judicial System Form C-80 Rev. 8/2000	ORDER ON INITIAL APPEARANCE	Case Number DC16-2693
IN THE _____ District COURT OF _____ Cullman, ALABAMA <small>(Circuit, District or Municipal) (Name of County or Municipality)</small>		
<input checked="" type="checkbox"/> STATE OF ALABAMA <input type="checkbox"/> MUNICIPALITY OF _____ v. Ray Charles Schultz <div style="text-align: right;">Defendant</div>		
The above-named defendant, charged with the criminal offense(s) of <u>Pornography-Distribute to Minor</u> , was duly brought before the Court for initial appearance on <u>12/8/16</u> , at <u>1:57</u> o'clock <u>p.m.</u> whereupon the Court did the following, as checked in the appropriate blocks: (CHECK AS APPLICABLE)		
<input checked="" type="checkbox"/> 1. Name and address of defendant. <div style="margin-left: 40px;"> <input checked="" type="checkbox"/> (a) Ascertained the true name and address of the defendant to be: <u>Same as above</u> <u>24 CR 1137 Cullman 35007 - 3 1/4 years</u> <input type="checkbox"/> (b) Amended the formal charges to reflect defendant's true name. <input type="checkbox"/> (c) Instructed the defendant to notify the Court promptly of any change of address. </div>		
<div style="text-align: right; font-style: italic;"> Previously Employed Sweet home Cullman 1 to 1 1/2 mos. Not employed NO DL </div> <input checked="" type="checkbox"/> 2. Informed the defendant of the charges against him/her and ensured that the defendant was served with a copy of the charges.		
<input checked="" type="checkbox"/> 3. Informed the defendant of the right to be represented by counsel, that he/she would be afforded time and opportunity to retain an attorney, and further advised the defendant that, if he/she were indigent and unable to obtain counsel, an attorney would be appointed by the Court to represent him/her. Defendant <input type="checkbox"/> requested <input checked="" type="checkbox"/> did not request court-appointed counsel. If requested counsel, defendant <input type="checkbox"/> was <input checked="" type="checkbox"/> was not given a copy of the Affidavit of Substantial Hardship to complete in order for indigency to be determined.		
<input checked="" type="checkbox"/> 4. Informed the defendant that he/she had the right to remain silent and that anything that he/she said could be used against him/her.		
<input checked="" type="checkbox"/> 5. Bail <div style="margin-left: 40px;"> <input type="checkbox"/> (a) Determined that the defendant shall not be released from custody since charged with a non bailable capital offense. <input checked="" type="checkbox"/> (b) Determined that the defendant shall be released from custody pending further proceedings, subject to the mandatory conditions prescribed in Rule 7.3(a), Ala.R.Crim.P., and subject to the following additional conditions: <div style="margin-left: 20px;"> <input type="checkbox"/> 1.) Execution of an appearance bond (recognizance) in the amount of \$ _____ <input checked="" type="checkbox"/> 2.) Execution of a secured appearance bond in the amount of \$ <u>2,500.00 Cash</u> <input type="checkbox"/> 3.) Other conditions (specify) _____ </div> </div>		
<input checked="" type="checkbox"/> 6. If charged with a felony offense, Informed the defendant of right to demand a preliminary hearing under Rule 5.1, Ala.R.Crim.P., and of the procedure by which that right may be exercised.		
<input checked="" type="checkbox"/> 7. If charged with a felony offense a preliminary hearing was demanded within 30 days of date of arrest by the above named defendant, set a preliminary hearing to be held in the District Court of _____ an _____ (date) at _____ o'clock _____ m. <div style="margin-left: 40px;"> <input type="checkbox"/> (a) Notified the District Court that such demand was made. <input checked="" type="checkbox"/> (b) Defendant made no demand for a preliminary hearing at the initial appearance hearings. </div>		
<input checked="" type="checkbox"/> 8. Other: _____		
FILED IN OFFICE <div style="display: flex; justify-content: space-between; align-items: center;"> <div> 12/8/16 Date </div> <div style="font-size: 2em; font-family: cursive;"> Amy Black </div> <div> DEC 08 2016 USA McSWAIN CIRCUIT CLERK CULLMAN COUNTY </div> </div>		

Exhibit 2

WARRANT OF ARREST
CULLMAN COUNTY**STATE OF ALABAMA****DISTRICT COURT**

Agency # 170200059-01

WARRANT No. _____

TO ANY LAWFUL OFFICER OF THE STATE OF ALABAMA:

You are hereby commanded to arrest TYRONE DAISHAWN BEEBE and bring him before the DISTRICT COURT OF CULLMAN COUNTY, to answer to the State of Alabama on a charge of:

1. **BURGLARY THIRD DEGREE**

and you have then and there this writ with your return thereon.

You will receive unto your custody and detain him until the _____ day of _____, 20____.

Bond set at \$ _____

Date _____

Judge/Clerk/Magistrate of District Court _____

DEFENDANT INFORMATION**TYRONE DAISHAWN BEEBE**
Aliases: None Reported13411 COUNTY ROAD 747,
HANCEVILLE, AL 35077Race: **BLK** Sex: **M**Height: **5'10"**Weight: **160** Eyes: **BLK**Hair: **BLK**D.O.B: **4/25/1997**

AL 8677/30

EXECUTION

Executed the within warrant by arresting the defendant and
(☒) Placing defendant in the Cullman County Jail
() Releasing defendant on appearance bond

By Matt Gentry Sheriff
[Signature] Deputy Sheriff

Date: 2-2-17

BAIL REQUEST

TO: _____, JUDGE OF THE DISTRICT COURT, CULLMAN, COUNTY, ALABAMA

STATE OF ALABAMA VS. TYRONE DAISHAWN BEEBECHARGE: BURGLARY 3RD TITLE: 13A-7-7 CODE OF ALABAMA

THE UNDERSIGNED OFFICER HEREBY REQUESTS THAT THE BOND/BAIL IN THIS CASE BE SET ABOVE THE RECOMMENDED DISCRETIONARY BAIL SCHEDULE. THE REASONS ARE SET FORTH AS FOLLOWS:

☐ CIRCUMSTANCES OF THE DEFENDANTS AGE, BACKGROUND, AND/OR FAMILY:

☐ PRIOR CRIMINAL CONVICTIONS: _____

☐ VIOLENCE WAS PRESENT IN THE ALLEGED COMMISSION OF THE OFFENSE:

☐ DEFENDANT WAS ARMED WITH A WEAPON IN COMMISSION OF THE OFFENSE:

☐ DEFENDANT HAS THREATENED VICTIM/WITNESS INVOLVED IN THIS OFFENSE:

☐ PROPERTY VALUE DURING THE COMMISSION OF THE OFFENSE: _____

☐ RESIDENCE OF THE DEFENDANT: _____

☒ OTHER REASONS WHICH ARE DESCRIBED AS FOLLOWS: OFFENDER AND HIS BROTHER THREATENED

TO ROB WENDYS IN CULLMAN, WERE FOUND AT WENDYS WITH A HANDGUN. SUSPECTS HAVE ALSO INQUIRED ABOUT OBTAINING "ARTILLERY"

☐ ON THE _____ DAY OF _____, AT _____ O'CLOCK _____ M.
JUDGE _____ OF CULLMAN COUNTY, ALABAMA, WAS
CONTACTED TELEPHONICALLY OR IN PERSON. THE ABOVE MENTIONED FACTS
WERE PRESENTED TO HIM.

INV. JACOB GABLE

OFFICER

CCSO

AGENCY

FILED IN OFFICE

FEB 03 2017

LISA McIVER
CIRCUIT CLERK
CULLMAN COUNTY

15,000.00 BOND
CASH
9000 White
Magistrate

WARRANT OF ARREST
CULLMAN COUNTY

STATE OF ALABAMA

DISTRICT COURT

Agency # 170200059

WARRANT No. _____

TO ANY LAWFUL OFFICER OF THE STATE OF ALABAMA:

You are hereby commanded to arrest DAVON TRESHAWN BEEBE and bring him before the DISTRICT COURT OF CULLMAN COUNTY, to answer to the State of Alabama on a charge of:

1. BURGLARY THIRD DEGREE

and you have then and there this writ with your return thereon.

You will receive unto your custody and detain him until the _____ day of _____, 20____.

Bond set at \$ _____

Date

Judge/Clerk/Magistrate of District Court

DEFENDANT INFORMATION

DAVON TRESHAWN BEEBE

Aliases: None Reported

1996 COUNTY ROAD 750, CULLMAN,
AL 35055 *mom's*

Race: **BLK** Sex: **M**

Height: **5'10"**

Weight: **160** Eyes: **BRN**

Hair: **BLK**

D.O.B: **5/6/1989**

AL 8783923

EXECUTION

Executed the within warrant by arresting the defendant and
(☒) Placing defendant in the Cullman County Jail
() Releasing defendant on appearance bond

Matth Gardner Sheriff
By *[Signature]*
Deputy Sheriff

Date: *2-2-17*

BAIL REQUEST

TO: _____, JUDGE OF THE DISTRICT COURT, CULLMAN, COUNTY, ALABAMA

STATE OF ALABAMA VS. DAVON TREHAWN BEEBECHARGE: BURGLARY 3RD TITLE: 13A-7-7 CODE OF ALABAMA

THE UNDERSIGNED OFFICER HEREBY REQUESTS THAT THE BOND/BAIL IN THIS CASE BE SET ABOVE THE RECOMMENDED DISCRETIONARY BAIL SCHEDULE. THE REASONS ARE SET FORTH AS FOLLOWS:

☐ CIRCUMSTANCES OF THE DEFENDANTS AGE, BACKGROUND, AND/OR FAMILY:

☐ PRIOR CRIMINAL CONVICTIONS: _____

☐ VIOLENCE WAS PRESENT IN THE ALLEGED COMMISSION OF THE OFFENSE:

☐ DEFENDANT WAS ARMED WITH A WEAPON IN COMMISSION OF THE OFFENSE:

☐ DEFENDANT HAS THREATENED VICTIM/WITNESS INVOLVED IN THIS OFFENSE:

☐ PROPERTY VALUE DURING THE COMMISSION OF THE OFFENSE: _____

☐ RESIDENCE OF THE DEFENDANT: _____

☒ OTHER REASONS WHICH ARE DESCRIBED AS FOLLOWS: OFFENDER AND HIS BROTHER THREATENED

TO ROB WENDYS IN CULLMAN, WERE FOUND AT WENDYS WITH A HANDGUN. SUSPECTS HAVE ALSO INQUIRED ABOUT OBTAINING "ARTILLERY"

☐ ON THE _____ DAY OF _____, _____ AT _____ O'CLOCK _____ M.
JUDGE _____ OF CULLMAN COUNTY, ALABAMA, WAS
CONTACTED TELEPHONICALLY OR IN PERSON. THE ABOVE MENTIONED FACTS
WERE PRESENTED TO HIM.

INV. JACOB GABLE

OFFICER

CCSO

AGENCY

FILED IN OFFICE

FEB 03 2017
LISA McSWAIN
CIRCUIT CLERK
CULLMAN COUNTY

15,000.00
CASH BOND
JACOB WHITE
MAGISTRATE

Exhibit 3

DC-17-128

State of Alabama Unified Judicial System Form C-81 11/91	ADVICE OF RIGHTS ON INITIAL APPEARANCE BEFORE JUDGE OR MAGISTRATE (Felony)	Case Number PC
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IN THE _____ DISTRICT _____ COURT OF _____ CULLMAN _____ ALABAMA
 (Circuit, District or Municipal) (Name of County or Municipality)

☒ STATE OF ALABAMA
☐ MUNICIPALITY OF _____

v. Tyrone Daishawn Beebe
 Defendant

This is a first appearance hearing. You are charged with committing the offense(s) of _____
Burglary in this court in violation of _____
BA-7-1-(a)(3)

is to ensure that you know and understand the charge or charges against you. At this hearing, there will be no determination made about your guilt or innocence of the crime charged, but only a determination that you know and understand the charge or charges against you. If you are before the court on a complaint following a warrantless arrest, the judge or magistrate will determine whether there is probable cause for the charge against you.

In addition, the purpose of this hearing is to determine whether bail should be set in your case; or, if it has been already set, if it should remain the same, be raised, be lowered, or whether you should be released upon your personal recognizance (that is, your promise to appear for future court proceedings) or released in the custody of some responsible person. In order to make this determination, it will be necessary for the judge or magistrate to ask you some questions concerning your ties with the community.

You are entitled to be represented by an attorney. You have a right to have your own attorney and will be given time and opportunity to retain an attorney. If you are unable to afford an attorney, one will be appointed for you by the court if you qualify for such representation. It will be necessary for you to complete an indigency questionnaire under oath in order for the court to make this determination.

You have a right to talk with your attorney, family, or friends and, if necessary, reasonable means will be provided order to enable you to do so. You have the right to remain silent. Anything that you say may be used against you.

Because you are charged with a felony, you are entitled to demand a preliminary hearing before a judge or magistrate to determine whether there is sufficient evidence to establish that you probably committed the offense or offenses with which you are charged. You must make this demand within thirty (30) days of the date of arrest. If a hearing is demanded and one is conducted, and if, at the conclusion of the preliminary hearing, the judge finds that sufficient evidence has been shown to establish that you probably committed the offense or offenses with which you are charged, the judge will then bind you over for further action by a grand jury. If, on the other hand, the judge finds that the evidence is insufficient to establish that you probably committed the crime or crimes charged, then the judge will dismiss the charge and discharge you from further custody or pre-trial obligations subject to the right of the prosecution to reinstate the charges against you at a later time.

If you are released from custody (whether personal recognizance or otherwise), you must:

- 1) Appear to answer and submit to all orders and process of the court having jurisdiction in the case.
- 2) Refrain from committing any criminal offense.
- 3) Not depart from the State of Alabama without the leave of the court having jurisdiction of this case.
- 4) Promptly notify the court of any change of address or the phone number.
- 5) Other conditions: _____

The provisions of the Release Order may be revoked or modified by the court for cause. The Release Order and any appearance bond executed in compliance with it will continue in force and effect until the dismissal, acquittal, or conviction on the charges, unless sooner revoked or modified by the court. Upon report of a violation of any of the above conditions, a warrant for your arrest will be issued.

Date 2-3-17

[Signature]
 Judge/Magistrate

I have read or have been advised of the matters herein set forth. I understand the explanation of procedures, rights, and information given to me at the initial court appearance. I understand the conditions of my release and the penalties applicable in the event that I violate any conditions imposed herein. I also understand that failure to appear as required may subject me to additional charges in the revocation of release.

Date 2-3-17

[Signature]
 Defendant

FILED IN OFFICE

FEB 03 2017

LISA McSWAIN
 CIRCUIT CLERK
 CULLMAN COUNTY

DC-17-128

State of Alabama Unified Judicial System Form C-80 Rev. 8/2000	ORDER ON INITIAL APPEARANCE	Case Number <u>PC</u>
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IN THE District COURT OF Cullman, ALABAMA
 (Circuit, District or Municipal) (Name of County or Municipality)

☒ STATE OF ALABAMA
☐ MUNICIPALITY OF

v. Tyrone Daishawn Beebe 4-2547
 Defendant

The above-named defendant, charged with the criminal offenses) of Burg. 3rd
 was duly brought before the Court for initial appearance on 2-3-17 at 2:30 o'clock P m.
 whereupon the Court did the following, as checked in the appropriate blocks:

(CHECK AS APPLICABLE)

☒ 1. Name and address of defendant.
☒ (a) Ascertained the true name and address of the defendant to be: 13411 Co Rd 747
Hanceville, AL 36077
☐ (b) Amended the formal charges to reflect defendant's true name.
☐ (c) Instructed the defendant to notify the Court promptly of any change of address.

☒ 2. Informed the defendant of the charges against him/her and ensured that the defendant was served with a copy of the charges.

☒ 3. Informed the defendant of the right to be represented by counsel, that he/she would be afforded time and opportunity to retain an attorney, and further advised the defendant that, if he/she were indigent and unable to obtain counsel, an attorney would be appointed by the Court to represent him/her.
 Defendant ☒ requested ☐ did not request court-appointed counsel. If requested counsel, defendant ☒ was ☐ was not given a copy of the Affidavit of Substantial Hardship to complete in order for indigency to be determined. By jail staff

☒ 4. Informed the defendant that he/she had the right to remain silent and that anything that he/she said could be use against him/her.

☒ 5. Bail
☐ (a) Determined that the defendant shall not be released from custody since charged with a non-bailable capital offense.
☒ (b) Determined that the defendant shall be released from custody pending further proceedings, subject to the mandatory conditions prescribed in Rule 7.3(a), Ala.R.Crim.P., and subject to the following additional conditions:
☐ 1) Execution of an appearance bond (recognizance) in the amount of \$
☒ 2.) Execution of a secured appearance bond in the amount of \$ 15,000.00 CASH BOND
☐ 3.) Other conditions (specify)

☒ 6. If charged with a felony offense, informed the defendant of right to demand a preliminary hearing under Rule 5.1, Ala.R.Crim.P., and of the procedure by which that right may be exercised.

☒ 7. If charged with a felony offense a preliminary hearing was demanded within 30 days of date of arrest by the above named defendant, set a preliminary hearing to be held in the District Court of (date) at o'clock m.
☐ (a) Notified the District Court that such demand was made.
☒ (b) Defendant made no demand for a preliminary hearing at the initial appearance hearing.

☒ 8. Other:

Date 2-3-17

James White
 Judge Magistrate

FILED IN OFFICE
FEB 03 2017
LISA MESWAIN
CIRCUIT CLERK
CULLMAN COUNTY

DC-17-127

State of Alabama Unified Judicial System Form C-80 Rev. 8/2000	ORDER ON INITIAL APPEARANCE	Case Number PC
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IN THE _____ District COURT OF _____ Cullman, ALABAMA
(Circuit, District or Municipal) (Name of County or Municipality)

☒ STATE OF ALABAMA
☐ MUNICIPALITY OF _____

v. Darvin Tre Shawn Beebe
Defendant

The above-named defendant, charged with the criminal offenses of Burg. 3rd, was duly brought before the Court for initial appearance on 2-3-17, at 2:45 o'clock p. m., whereupon the Court did the following, as checked in the appropriate blocks:

(CHECK AS APPLICABLE)

☒ 1. Name and address of defendant.

☒ (a) Ascertained the true name and address of the defendant to be: 13411 Co. Rd 747
Hanceville, AL 35077

☐ (b) Amended the formal charges to reflect defendant's true name.

☐ (c) Instructed the defendant to notify the Court promptly of any change of address.

☒ 2. Informed the defendant of the charges against him/her and ensured that the defendant was served with a copy of the charges.

☒ 3. Informed the defendant of the right to be represented by counsel, that he/she would be afforded time and opportunity to retain an attorney, and further advised the defendant that, if he/she were indigent and unable to obtain counsel, an attorney would be appointed by the Court to represent him/her.

Defendant ☒ requested ☐ did not request court-appointed counsel. If requested counsel, defendant ☒ was ☐ was not given a copy of the Affidavit of Substantial Hardship to complete in order for indigency to be determined. By J. J. Staff

☒ 4. Informed the defendant that he/she had the right to remain silent and that anything that he/she said could be used against him/her.

☒ 5. Bail

☐ (a) Determined that the defendant shall not be released from custody since charged with a non-bailable capital offense.

☒ (b) Determined that the defendant shall be released from custody pending further proceedings, subject to the mandatory conditions prescribed in Rule 7.3(a), Ala.R.Crim.P., and subject to the following additional conditions:

☐ 1.) Execution of an appearance bond (recognizance) in the amount of \$ _____

☒ 2.) Execution of a secured appearance bond in the amount of \$ 15,000.00 CASH

☐ 3.) Other conditions (specify) BOND

☒ 6. If charged with a felony offense, informed the defendant of right to demand a preliminary hearing under Rule 5.1, Ala.R.Crim.P., and of the procedure by which that right may be exercised.

☒ 7. If charged with a felony offense a preliminary hearing was demanded within 30 days of date of arrest by the above named defendant, set a preliminary hearing to be held in the District Court of _____ (date) at _____ o'clock _____ m.

☐ (a) Notified the District Court that such demand was made.

☐ (b) Defendant made no demand for a preliminary hearing at the initial appearance hearing.

☒ 8. Other: _____

Date 2-3-17

Judge/Magistrate

FILED IN OFFICE
FEB 03 2017
LISA McSWAIN
CIRCUIT CLERK
CULLMAN COUNTY

DC-17-127

State of Alabama Unified Judicial System Form C-81 11/91	ADVICE OF RIGHTS ON INITIAL APPEARANCE BEFORE JUDGE OR MAGISTRATE (Felony)	Case Number <div style="font-size: 2em; font-family: cursive;">PC</div>
--	---	--

IN THE _____ DISTRICT _____ COURT OF _____ CULLMAN _____ ALABAMA
 (Circuit, District or Municipal) (Name of County or Municipality)

☒ STATE OF ALABAMA
☐ MUNICIPALITY OF _____

v. Davor Treshawn Becke
 Defendant

This is a first appearance hearing. You are charged with committing the offense(s) of Burg. 3rd in this court in violation of 13A-7-7(a)(3). The primary purpose of this hearing is to ensure that you know and understand the charge or charges against you. At this hearing, there will be no determination made about your guilt or innocence of the crime charged, but only a determination that you know and understand the charge or charges against you. If you are before the court on a complaint following a warrantless arrest, the judge or magistrate will determine whether there is probable cause for the charge against you.

In addition, the purpose of this hearing is to determine whether bail should be set in your case; or, if it has been already set, if it should remain the same, be raised, be lowered, or whether you should be released upon your personal recognizance (that is, your promise to appear for future court proceedings) or released in the custody of some responsible person. In order to make this determination, it will be necessary for the judge or magistrate to ask you some questions concerning your ties with the community.

You are entitled to be represented by an attorney. You have a right to have your own attorney and will be given time and opportunity to retain an attorney. If you are unable to afford an attorney, one will be appointed for you by the court if you qualify for such representation. It will be necessary for you to complete an indigency questionnaire under oath in order for the court to make this determination.

You have a right to talk with your attorney, family, or friends and, if necessary, reasonable means will be provided order to enable you to do so. You have the right to remain silent. Anything that you say may be used against you.

Because you are charged with a felony, you are entitled to demand a preliminary hearing before a judge or magistrate to determine whether there is sufficient evidence to establish that you probably committed the offense or offenses with which you are charged. You must make this demand within thirty (30) days of the date of arrest. If a hearing is demanded and one is conducted, and if, at the conclusion of the preliminary hearing, the judge finds that sufficient evidence has been shown to establish that you probably committed the offense or offenses with which you are charged, the judge will then bind you over for further action by a grand jury. If, on the other hand, the judge finds that the evidence is insufficient to establish that you probably committed the crime or crimes charged, then the judge will dismiss the charge and discharge you from further custody or pre-trial obligations subject to the right of the prosecution to reinstate the charges against you at a later time.

If you are released from custody (whether personal recognizance or otherwise), you must:

- 1) Appear to answer and submit to all orders and process of the court having jurisdiction in the case.
- 2) Refrain from committing any criminal offense.
- 3) Not depart from the State of Alabama without the leave of the court having jurisdiction of this case.
- 4) Promptly notify the court of any change of address or the phone number.
- 5) Other conditions: _____

The provisions of the Release Order may be revoked or modified by the court for cause. The Release Order and any appearance bond executed in compliance with it will continue in force and effect until the dismissal, acquittal, or conviction on the charges, unless sooner revoked or modified by the court. Upon report of a violation of any of the above conditions, a warrant for your arrest will be issued.

Date 2-3-17 _____
 Judge/Magistrate [Signature]

I have read or have been advised of the matters herein set forth. I understand the explanation of procedures, rights, and information given to me at the initial court appearance. I understand the conditions of my release and the penalties applicable in the event that I violate any conditions imposed herein. I also understand that failure to appear as required may subject me to additional charges in the revocation of release.

Date 2-3-17 _____
 Defendant Facetime

FILED IN OFFICE
 FEB 03 2017
 LISA McSWAIN
 CIRCUIT CLERK
 CULLMAN COUNTY

Exhibit 4

THE DISTRICT COURT OF CULLMAN COUNTY

Agency # 170101704
CMS # 17-0155 01

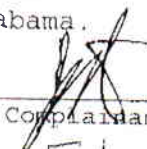
WARRANT NO. 10P 17-259

COMPLAINT

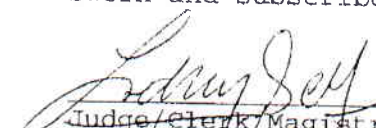
Before me the undersigned Judge/Clerk/Magistrate of The District Court of Cullman County, Alabama, personally appeared JUSTIN HOWSE who being duly sworn deposes and says that he/she has probable cause for believing, and does believe that,

JAMES HUGO STERLING, whose name is otherwise unknown to the affiant, did, with intent to defraud, possess or utter a forged instrument, to-wit: a check drawn on PREMIER BANK, dated 12/27/16, being check number 871, made payable to JAMES H. STERLING, in the amount of \$468.00, drawn on the account of YVONNE STERLING, bearing the signature of YVONNE A. STERLING, as the maker thereof, which is or purports to be the genuine signature of YVONNE STERLING, or which is calculated to become or to represent if completed, an assignment or a check, draft, note, or other commercial instrument which does or may evidence, create, transfer, terminate, or otherwise affect a legal right, interest, obligation, or status, having knowledge said instrument was forged, in violation of Title 13A-9-6.1 of the Code of Alabama

JAMES HUGO STERLING, whose name is otherwise unknown to the affiant, did, with intent to defraud, possess or utter a forged instrument, to-wit: a check drawn on PREMIER BANK, dated 01/05/17, being check number 875, made payable to JAMES STERLING, in the amount of \$350.00, drawn on the account of YVONNE STERLING, bearing the signature of YVONNE A. STERLING, as the maker thereof, which is or purports to be the genuine signature of YVONNE STERLING, or which is calculated to become or to represent if completed, an assignment or a check, draft, note, or other commercial instrument which does or may evidence, create, transfer, terminate, or otherwise affect a legal right, interest, obligation, or status, having knowledge said instrument was forged, in violation of Title 13A-9-6.1 of the Code of Alabama against the peace and dignity of the State of Alabama.


Complainant's Signature

Sworn and Subscribed before me this the 14 day of February, 2017.


Judge/Clerk/Magistrate of the Court

FILED IN OFFICE

Charges:

1. POSSESSION OF A FORGED INSTRUMENT THIRD
2. POSSESSION OF A FORGED INSTRUMENT THIRD

FEB 16 2017

LISA McSWAIN
CIRCUIT CLERK
CULLMAN COUNTY

Witness for the State

JUSTIN HOWSE, CULLMAN CO SHERIFF'S OFFICE, CULLMAN, AL

WARRANT OF ARREST
CULLMAN COUNTY

STATE OF ALABAMA

DISTRICT COURT

Agency # 170101704

WARRANT No. _____

TO ANY LAWFUL OFFICER OF THE STATE OF ALABAMA:

You are hereby commanded to arrest JAMES HUGO STERLING and bring him before the DISTRICT COURT OF CULLMAN COUNTY, to answer to the State of Alabama on a charge of:

1. POSSESSION OF A FORGED INSTRUMENT THIRD

2. POSSESSION OF A FORGED INSTRUMENT THIRD

and you have then and there this writ with your return thereon.

You will receive unto your custody and detain him until the day of _____, 20____.

Bond set at \$ 10,000 Cash

2/14/17
Date

[Signature]
Judge/Clerk/Magistrate of District Court

DEFENDANT INFORMATION

JAMES HUGO STERLING
Aliases: HUGO STERLING
JIMMY STERLING

101A CO RD 1400, CULLMAN, AL
35055

Race: **CAU** Sex: **M**
Height: **5'08"**
Weight: **210** Eyes: **BLU**
Hair: **BRN**
D.O.B: **10/31/1968**
SSN: **416-98-1074**

EXECUTION

Executed the within warrant by arresting the defendant and
(X) Placing defendant in the Cullman County Jail
() Releasing defendant on appearance bond

[Signature] Sheriff
By [Signature] Deputy Sheriff
Date: 02/15/17

WR 17-259

Supplement

I, Investigator Howse, had conducted the investigation into the theft and forgery of Yvonne Sterling, victim, personal checks. The victim stated that she noticed on her banking statement that two checks were written without her permission. The forged checks were Premier Bank of the South Checks #871-9468, #875-8360. The checks were written on December 17, 2016 and January 31, 2017. Both of the forged checks were made to pay to order of James Sterling, the victim's son. The victim has stated that she did not authorize her son to possess and/or make a transaction with her checks.

I requested video footage of the listed checks transactions from Premier Bank of the South. The video showed on both dates listed James Sterling making transactions in the banks drive through with the victim's forged checks. Since the transactions Premier Bank of the South had reimbursed the victim the money from the forged checks. Jacob Mullins, vice president, of the Premier Bank of the South in Cullman advised they did want to pursue charges against James Sterling and restitution ordered.



Sworn to me this
14th day of February 2017


Magistrate

BAIL REQUEST

TO: _____ JUDGE OF THE DISTRICT COURT, CULLMAN COUNTY, ALABAMA

STATE OF ALABAMA VS. James Hugo Sterling

CHARGE: Pass. Fraud. Instr. 3rd TITLE 18A-9-6 CODE OF ALABAMA

THE UNDERSIGNED OFFICER HEREBY REQUESTS THAT THE BOND/BAIL IN THIS CASE BE SET ABOVE THE RECOMMENDED DISCRETIONARY BAIL SCHEDULE. THE REASONS ARE SET FORTH AS FOLLOWS:

☐ CIRCUMSTANCES OF THE DEFENDANTS AGE, BACKGROUND, AND/OR FAMILY:

☐ PRIOR CRIMINAL CONVICTIONS:

☐ VIOLENCE WAS PRESENT IN THE ALLEGED COMMISSION OF THE OFFENSE:

☐ DEFENDANT WAS ARMED WITH A WEAPON IN COMMISSION OF THE OFFENSE:

☐ DEFENDANT HAS THREATENED VICTIMS/WITNESSES INVOLVED IN THIS OFFENSE:

☐ PROPERTY VALUE DURING THE COMMISSION OF THE OFFENSE:

☐ RESIDENCE OF THE DEFENDANT:

☒ OTHER REASONS WHICH ARE DESCRIBED AS FOLLOWS: Yvonne Sterling, victim, has expressed to the Sheriff's Office that she is afraid that James Hugo Sterling, son, will retaliate against her for contacting S.O. about checks.

☐ ON THE _____ DAY OF _____, AT _____ O'CLOCK _____ M. JUDGE _____ OF CULLMAN COUNTY, ALABAMA, WAS CONTACTED TELEPHONICALLY OR IN PERSON. THE ABOVE MENTIONED FACTS WERE PRESENTED TO HIM.

OFFICER IS

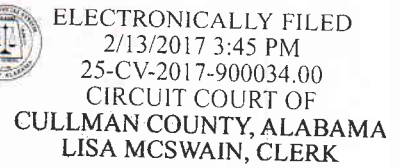
AGENCY CC-50

FILED IN OFFICE

FEB 14 2017
LISA MOSWAIN
CIRCUIT CLERK
CULLMAN COUNTY

2/14/17
\$2000 Cash Bond
Ludney Self
Magistrate

Exhibit 5



CULLMAN COUNTY, ALABAMA
LISA MCSWAIN, CLERK

V.

Case No.: CV-2017-900034.00

GENTRY SHERIFF MATT,
 STATE OF ALABAMA,
 DISTRICT COURT OF CULLMAN
 COUNTY,
 ADMINISTRATIVE OFFICE OF COURTS
 ET AL,
 Defendants.

After hearing, the petition for writ of habeas corpus and the petition for writ of mandamus are respectfully denied.

DONE this 13th day of February, 2017.

/s/ GREGORY A NICHOLAS
CIRCUIT JUDGE